

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



In the Matter of)
)
Tronox Limited, a corporation,) PUBLIC
)
National Industrialization Company) Docket No. 9377
(TANSEE), a corporation,)
)
National Titanium Dioxide Company)
Limited (Cristal), a corporation, AND)
)
Cristal USA Inc., a corporation.)
)
Respondents .)
_____)

**NON-PARTY ASHLAND LLC'S MOTION FOR AN
EXTENSION OF TIME TO FILE MOTION FOR IN CAMERA TREATMENT**

Pursuant to Rule 3.21 of the Federal Trade Commission's Rules of Practice ("Rules of Practice"), 16 C.F.R. §3.45(b), non-party Ashland LLC ("Ashland") respectfully moves this Court for an Extension of Time to File a Motion for in Camera Treatment. The Federal Trade Commission ("FTC") has notified Ashland that it intends to introduce some of Ashland's documents and testimony related thereto into evidence during the trial of this matter, including the transcript of Antonio Tong's deposition. Ashland has been notified that the deadline for filing motions seeking *in camera* treatment is May 1, 2018. *See* Letter from the FTC dated April 19, 2018, attached as Exhibit A.

Ashland intends to file a Motion for in Camera Treatment for portions of this evidence, but is unable to do so before May 1, 2018. The deposition of Ashland employee Mr. Tong was scheduled by the parties for April 30, 2018. With an April 30, 2017 deposition date, the deposition transcript will not be available in time for Ashland to file a Motion for in Camera

Treatment on or before the May 1, 2018 deadline. Ashland was not responsible for the timing of Mr. Tong's deposition, nor has Ashland previously requested any extensions.

Pursuant to 16 C.F.R. § 3.45, a Motion for in Camera Treatment must include a copy of the documents for which *in camera* treatment is sought and an affidavit by a person qualified to explain the confidential nature of the material. *In re 1-800 Contacts, Inc.*, 2017 FTC LEXIS 55 (Apr. 4, 2017); *In re North Texas Specialty Physicians*, 2004 FTC LEXIS 66 (Apr. 23, 2004). Ashland cannot comply with these requirements by May 1 because the deposition transcript will not be available in time.

While Ashland could file an initial Motion related only to the documents (as opposed to the deposition transcript) that have been designated by counsel for use at trial, doing so would be inefficient and would result in the added costs of having to file two motions – one motion relating to the documents and a second motion relating to the applicable pages in the deposition transcript. Accordingly, Ashland requests this extension so that it can seek to protect all of its confidential materials via a single motion.

For the reasons set forth above, Ashland respectfully requests an extension to file a Motion for in Camera Treatment until seven (7) days after Ashland is provided with a copy of Mr. Tong's deposition transcript.

Dated: April 26, 2018

s/ Charles M. Roesch
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Counsel for non-party, Ashland LLC

STATEMENT REGARDING MEET AND CONFER

The undersigned certifies that counsel for non-party Ashland LLC (“Ashland”) notified counsel for the parties via telephone on April 24-25, 2018 that it would be filing a motion to extend the deadline for seeking *in camera* treatment of confidential documents. Counsel for the Federal Trade Commission, Tronox Limited, and Cristal USA Inc. indicated that they would not object to Ashland’s motion.

Dated: April 26, 2018

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12740950v1

Notice of Electronic Service

I hereby certify that on April 27, 2018, I filed an electronic copy of the foregoing Ashland LLC's Motion for an Extension, with:

D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
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Washington, DC, 20580

Donald Clark
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I hereby certify that on April 27, 2018, I served via E-Service an electronic copy of the foregoing Ashland LLC's Motion for an Extension, upon:

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